

Written Testimony of Representative Zoe Lofgren (CA-16)
Make It in America: What's Next?
PANEL 2: Making Government Work Better

First, I want to thank Minority Whip Steny Hoyer for holding this Member Day Hearing on “Making Government Work Better” and giving me the opportunity to speak about an issue that affects a fundamental right of Americans.

The issue of fair redistricting reform is one that is essential to our democracy, and the decision of the Supreme Court to weigh in on the matter shows that it has never been more important.

As many of you know, in most states electoral maps are drawn behind closed doors to protect incumbent seats by whatever party holds a majority statewide. Sometimes this process is accelerated in order to swing the outcome of upcoming elections. In other cases, the two major parties cut backroom deals to preserve the status quo and ensure years of non-competitive elections. This process is not only rigged to preserve the power of incumbents and the two major parties, but is also designed to keep out independent candidates and third-party challengers.

What results is a troubling reality in which politicians choose their voters instead of voters picking their elected officials.

According to an analysis by Common Cause covering three redistricting cycles in California, “competition was suppressed when redistricting was in the hands of incumbents in the 1980’s and 2000’s. But after a court-imposed redistricting in 1991, with lines drawn by three retired judges appointed by the California Supreme Court, competition rose in both U.S. House and state legislative races. During the 1990 cycle, when an independent panel redrew the lines, the number of competitive races increased by more than 50 percent. During the 2000 cycle, when the legislature drew the lines, the number of competitive races decreased by more than 55 percent. In fact, no incumbents lost in either election, and in the 2004 elections, not one seat in the state legislature changed parties.”¹

This is not what our Founding Fathers intended when they wrote the U.S. Constitution. And furthermore, it is counterproductive to a well-functioning democracy. That is why, in an attempt to return control of our democracy to the people, several states, including Arizona, Iowa, and California, have implemented Citizen Redistricting Commissions which draw lines in an open, transparent, and non-biased manner.

A competitiveness analysis of races in California after the Redistricting Commission redrew district lines found that races were significantly more competitive than in previous cycles. “The average margin of victory in the elections based on the commission’s 2011 maps was 30 percent lower than in races based on the legislature’s 2001 maps. During that same period, the national average dropped 11 percent. Further, the percent of districts considered competitive — those with a margin of victory under 10 percent — increased to 19 percent from 5 percent while those in the nation as a whole increased to only 13 percent from 12 percent.”²

When the Arizona State legislature wanted to invalidate the State’s independent redistricting commission and

¹ Common Cause’s Report, “Designer Districts: Safe Seats Tailor Made for Incumbents,” at www.commoncause.org

² Kim Soffen, “Independently Drawn Districts Have Proved to Be More Competitive”, The New York Times (Jul 1, 2015)

return the political process to the closed-door, backroom deal-making the Supreme Court ruled in favor of the redistricting commission and kept the process in place.

We should build on the Supreme Court's decision by passing legislation that puts power in the hands of the voters and protects redistricting commissions from legal challenges like the one Arizona.

That is why my colleagues – Representatives Brownley and Lowenthal, as well as Representatives Larson and Barrow before them – and myself have introduced legislation that creates a more transparent electoral process to hold politicians accountable to the people they represent by requiring all states to form independent citizen redistricting commissions.

H.R. 2173 the Redistricting Reform Act of 2015 was introduced with the support of 19 original cosponsors, including Minority Leader Nancy Pelosi, and the endorsement of Common Cause and the National Council of La Raza. Since introduction, 23 additional Members have signed on, including Minority Whip Hoyer.

Redistricting reform is a bipartisan issue that needs bipartisan support. And I welcome my colleagues across the aisle to add their voice and support to a fair and accountable political process that puts voter – not politicians – first.

Citizen-driven redistricting processes have proved that government of, for, and by the people is not only possible, but its successful implementation in three states makes it an imperative for all Americans.

By requiring all states to form independent citizen redistricting commissions, our legislation will create a more transparent election process and hold our politicians accountable to the people they represent.